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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/735,705	10/23/96	ANDERSON E	P109/513US

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EXAMINER	
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ART UNIT	PAPER NUMBER
2712	9

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See attached.

Office Action Summary	Application No. 08/735,705	Applicant(s) Aerson et al
	Examiner TUAN HO	Group Art Unit 2712

☒ Responsive to communication(s) filed on *Jun 1, 1998* .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-36* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-36* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). *7*

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

1. It is noted that the allowance of claims 2-5, 7-10, 12-15 and 17-20 has been withdrawn because of new grounds of rejection.

2. Applicant's arguments filed 6/1/98 have been fully considered but they are not persuasive.

With regard to claims 1 and 6, Examiner notes that Applicant's arguments based on the specification is not relevant since claims 1 and 6 do not directly recite the limitations which are discussed in pages 8 and 9.

With regard to claims 1-15, the claims do not include "means-plus-function" language. Therefore, §112(6) paragraph does not apply. When interpreting claims, the PTO must give claim words their broadest reasonable meaning in their ordinary usage, as understood by one of ordinary skill in the art. In doing this, the PTO is not limited to applicant's specification when interpreting claims. In re Morris, 127 F3d 1048, 44U.S.P.Q. 2d 1023 (Fed. Cir. 1997).

With regard to claims 16-20, the Applicant is incorrect that §112(6) paragraph requires that "means-plus-function" language must be "identically disclosed in order to be rejected. Instead, the Examiner is limited to the corresponding structure described in the specification and equivalents thereof.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6 and 16 are rejected under 35 U.S.C. 102(b) as being by Takemoto et al '246.

With regard to claim 1, Takemoto et al discloses in Fig. 7, an electronic camera which comprises the same system for correlating processing and information (system controller shown in Fig. 7 correlating processing data and information, col. 6, lines 43+), capturing device for gathering the information (image pickup device CCD 35 captures an image signal of an object via lens 37 and shutter 38, col. 7, line 8-10), manager device coupled to the capturing device for building a data cell containing the processing data and for linking the data cell to the information (system controller 46 coupled to the image pickup device 35, which works in conjunction with operation part 19 and memory controller 41, build and store compressed image data in a memory 33, wherein the memory 33 contains an area in which a coding system attribute code indicating whether or not the image data is compressed, and compression system if in the affirmative, col. 8, lines 50-63 and Fig. 10; note that the coding system attribute code is used to decompress the compressed data in reproduction mode, col. 8, lines 63+), and processing device coupled to the capturing device for processing data within the data cell as claimed (compression and expansion part 47 and 48 coupled to the image pickup device 35 process the readout data form the memory in reproduction mode so as to expand the compressed image data for displaying, col. 8, lines 63-68, and col. 9, lines 33-68 and col. 10, lines 1-26. Note that in order to expand the compressed

image data, the compression and expansion part 47 and 48 need to get compression data from the attribute code in file header).

Claim 6 is a method claim which corresponds to apparatus claim 1 and is analyzed as previously discussed with respect to apparatus claim 1.

With regard to claim 16, Takemoto et al discloses in Fig. 7, an electronic camera which comprises the same system for correlating processing and information (system controller shown in Fig. 7 processes processing data and information, col. 6, lines 43+, which is equivalent to the correlating processing data and information), means for gathering the information using a capturing device (claimed means for gathering the information represents imaging device 14 in the specification, which is met by image pickup device CCD 35 capturing an image signal of an object via lens 37 and shutter 38, col. 7, line 8-10), means for building a data cell using a manager device, the data cell containing the processing data, and means for linking the data cell to the information (claimed means for building a data cell and means for linking represent processing unit 54 in the specification, which is met by system controller 46 coupled to the image pickup device 35, wherein the image pickup device working in conjunction with operation part 19 and memory controller 41, builds and stores compressed image data in a memory 33; wherein the memory 33 contains an area in which a coding system attribute code indicating whether or not the image data is compressed, and compression system if in the affirmative, col. 8, lines 50-63 and Fig. 10; noting that the coding system attribute code is used to decompress the compressed data in reproduction mode, col. 8, lines 63+), and means for processing the information using specified

elements within the data cell as claimed (claimed means for processing the information represents processing unit 45 in the specification, which is met by compression and expansion part 47 and 48 coupled to the image pickup device 35 process the readout data form the memory in reproduction mode so as to expand the compressed image data for displaying, col. 8, lines 63-68, and col. 9, lines 33-68 and col. 10, lines 1-26. Note that in order to expand the compressed image data, the compression and expansion part 47 and 48 need to get compression data from the attribute code in file header, wherein the attribute code is stored in specified elements of the memory).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takemoto in view of Sarbadhikari et al '264 cited by Applicants.

Takemoto et al discloses in Fig. 7, an electronic camera which comprises a memory medium includes program instructions for correlating processing and information (memory 33 contains file header which includes a coding system attribute code indicating whether or not the image data is compressed, and compression system if in the affirmative, col. 8, lines 50-63 and Fig. 10; note that the coding system attribute code is used in expanding processing to decompress

compressed image signals from memory 33), comprising the steps of gathering the information using a capture device (image pickup device CCD 35 captures an image signal of an object via lens 37 and shutter 38, col. 7, line 8-10), building a data cell with a manager device, the data cell contains the processing data; linking the data cell to the information (system controller 46 coupled to the image pickup device 35, which works in conjunction with operation part 19 and memory controller 41, build and store compressed image data in a memory 33, wherein the memory 33 contains an area in which a coding system attribute code indicating whether or not the image data is compressed, and compression system if in the affirmative, col. 8, lines 50-63 and Fig. 10; note that the coding system attribute code is used to decompress the compressed data in reproduction mode, col. 8, lines 63+), and processing the information using the processing data within the data cell (compression and expansion part 47 and 48 coupled to the image pickup device 35 process the readout data form the memory in reproduction mode so as to expand the compressed image data for displaying, col. 8, lines 63-68, and col. 9, lines 33-68 and col. 10, lines 1-26. Note that in order to expand the compressed image data, the compression and expansion part 47 and 48 need to get compression data from the attribute code in file header), except for the computer-readable medium.

Takemoto et al does not explicitly disclose any computer-readable medium; however, Sarbadhikari et al teaches the use of removable memory card 3, wherein when the card 3 is connected to a computer 4, data information stored in the card can be read out and processed by

the computer 4 (col. 4, lines 1-2 and Fig. 1). As a result, the image data stored in the memory card can be reproduced by the computer and displayed on a computer monitor, col. 4, lines 1-20.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify memory 33 of Takemoto et al so that data information of the memory 33 can be read by a computer as disclosed by Sarbadhikari et al because the modification of the memory of Sarbadhikari et al would provide the memory storing information data which can be reproduced and displayed by a computer.

5. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Parulski et al (5,402,170) cited by Applicant.

With regard to claim 16, Parulski et al discloses in Fig. 1, the same system for correlating processing data and information (camera 10 and computer 12 correlate the image data so as to obtain a desired image), means for gathering the information using a capturing device (claimed means for gathering the information represents imaging device 14 in the specification, which is met by image sensor 24), means for building a data cell using a manager device, the data cell containing the processing data, and means for linking the data cell to the information (claimed means for building a data cell and means for linking represent processing unit 54 in the specification, which is met by personal computer 12 and keyboard 18, col. 5, lines 68 and col. 6, lines 1-40), and means for processing the information using specified elements within the data cell

as claimed (claimed means for processing the information represents processing unit 45 in the specification, which is met by computer 12, col. 5, lines 55+).

With regard to claim 17, Parulski et al discloses in Fig. 1, the same manager device (after finishing processing an image by using information data of application programs, computer 12 can delete data in the programs).

With regard to claim 18, Parulski et al discloses in Fig. 1, the same manager device (computer 12 can make a copy of the program and sends the program to another computer with the image signal).

With regard to claim 20, Parulski et al discloses in Fig. 1, the same processing device store the information into a memory device (after processing the image data, computer 12 can delete the program and store the processed image data into a Ram or disk 20).

Claims 1-15 and 21-36 recite what was previously discussed with respect to claims 16-20.

6. This action is not made Final since new grounds of rejection to be applied to the claims.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan Ho whose telephone number is (703) 305-4943. The examiner can normally be reached on Monday-Friday from 7:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

TH

September 12, 1998

Tuan Ho

Patent Examiner